

App. No. 10/604,975
Amendment dated December 8, 2004
Reply to Office action of September 10, 2004

REMARKS

Summary of Amendments

Claims 1-5, 13-22 and 30-34 have been canceled.

Claims 6 and 23 have been amended in response to the objection made to these claims, and additionally to insert a semicolon missing from the end of the line reciting "a circular cylindrical casing member," so as to separate that recitation clearly from the immediately following recitation of micro-gaps. Claims 8 and 25 have been amended to correct an informality common to each that in the Office action was objected to in claims 2, 17 and 34, which have been canceled, but that appears in claims 8 and 25 as well.

Claims 27 and 28 have been amended for editorial clarity at Applicant's own initiative. In particular, because claim 23, the independent claim from which these claims depend, recites "a circular cylindrical casing member fitted to said shaft over its outer circumferential surface," and "a radial dynamic-pressure bearing section configured intermediately by at least one surface of either said sleeve inner-circumferential surface or *said casing member outer-circumferential surface*," logically claims 27 and 28, in further limiting the configuration of the radial dynamic-pressure bearing section, each must recite that the radial bearing section is configured between the *casing member*—not the shaft—outer-circumferential surface and the sleeve inner-circumferential surface.

Drawings

A drawing replacement sheet attached to this paper corrects Fig. 1 by the addition of the legend "Prior Art" as required by the Examiner. It is noted that although at item 10), indicating on the "Office Action Summary" sheet whether the drawings have been accepted or objected to, checkbox a) "accepted" has been marked, the drawings have been objected to under the "Detailed Action" section of the Office communication.

Claim Objections

Claims 1, 6, 16, 18, 23 and 33 were objected to for the informality of reciting "said bearing section" at the end of the phrase setting forth the axial support section in these claims. Applicant gratefully acknowledges the Examiner's pointing out that the recitation "said bearing section" is here unclear, and Applicant notes that the

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internal logic of the recitation itself dictates that "said axial support section" should be recited instead of merely "said bearing section."

Accordingly, claims 6 and 23 have been amended to recite, "said rotor is lifted through cooperation of said thrust bearing section and said axial support section." (Claims 16, 18, and 33 have been canceled.)

Claims 2, 17 and 34 were objected to for the informality of the grammatically incorrect phrase "according as its separation from." While these claims have been canceled, the same informality appeared in claims 8 and 25 as well (and additionally in claim 19, which also has been cancelled).

In claims 8 and 25 the phrase "according as its separation from said rotor top plate" has been amended to read "according as *it separates* from said rotor top plate." The definition of "according as" intended here is the first given by *The American Heritage® Dictionary of the English Language: Fourth Edition* (2000), "Corresponding to the way in which; precisely as."

In addition, the phrase "said sleeve outer circumferential surface being provided with a taper surface" in claims 8 and 25 has been amended to read "said sleeve outer circumferential *periphery* being provided with a taper surface," in order to avoid the awkwardness of saying that a "surface is provided with a surface."

Hence amended claims 2, 15, 17 and 30 may be construed as reciting

said sleeve outer circumferential periphery being provided with a taper surface constricting in outer diameter *corresponding to the way in which* it separates from said rotor top plate.

(Provisional) Double-Patenting Rejections under 35 U.S.C. § 101

Claims 1-5, 13-17 and 18-22 have been provisionally rejected statutorily under 35 U.S.C. § 101, while claims 30-34 have been rejected under the judicially created doctrine of obviousness-type double patenting, in respect of Application No. 10/063,929, which is commonly owned by the Assignee in the present application.

By the present amendment, claims 1-5, 13-22 and 30-34 have been canceled without prejudice. It is respectfully submitted that the statutory type double-patenting rejection has been overcome "by canceling . . . the conflicting claims so they are no longer coextensive in scope," as quoted in the Office action.

It will be appreciated that the cancellation of the claims made in the present amendment was in response to provisional double patenting rejections. Thus it is

App. No. 10/604,975
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respectfully asserted that the present cancellation in response to the provisional double patenting rejections should not be construed as a narrowing amendment. In a similar vein, Applicant notes that among the pending claims remaining after cancellation, those herein amended were only objected to, and the objections should not be considered to have been made for substantive reasons related to patentability. Furthermore, the amendments herein made at Applicant's own initiative are for editorial clarity, and should not be construed as having been made for substantive reasons related to patentability.

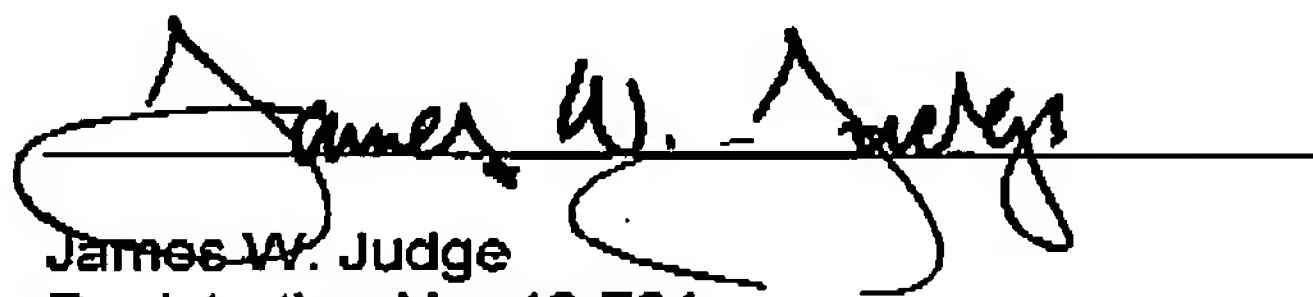
Allowable Subject Matter

Applicant gratefully acknowledges that claims 6 and 23 and their dependent claims 7-12 and 24-29 indicated as being allowable if rewritten or amended to overcome the objections as set forth in the Office action. It is respectfully submitted that the present amendment meets this requirement.

Accordingly, Applicant courteously urges that this application is in condition for allowance. Reconsideration and withdrawal of the rejections is requested. Favorable action by the Examiner at an early date is solicited.

Respectfully submitted,

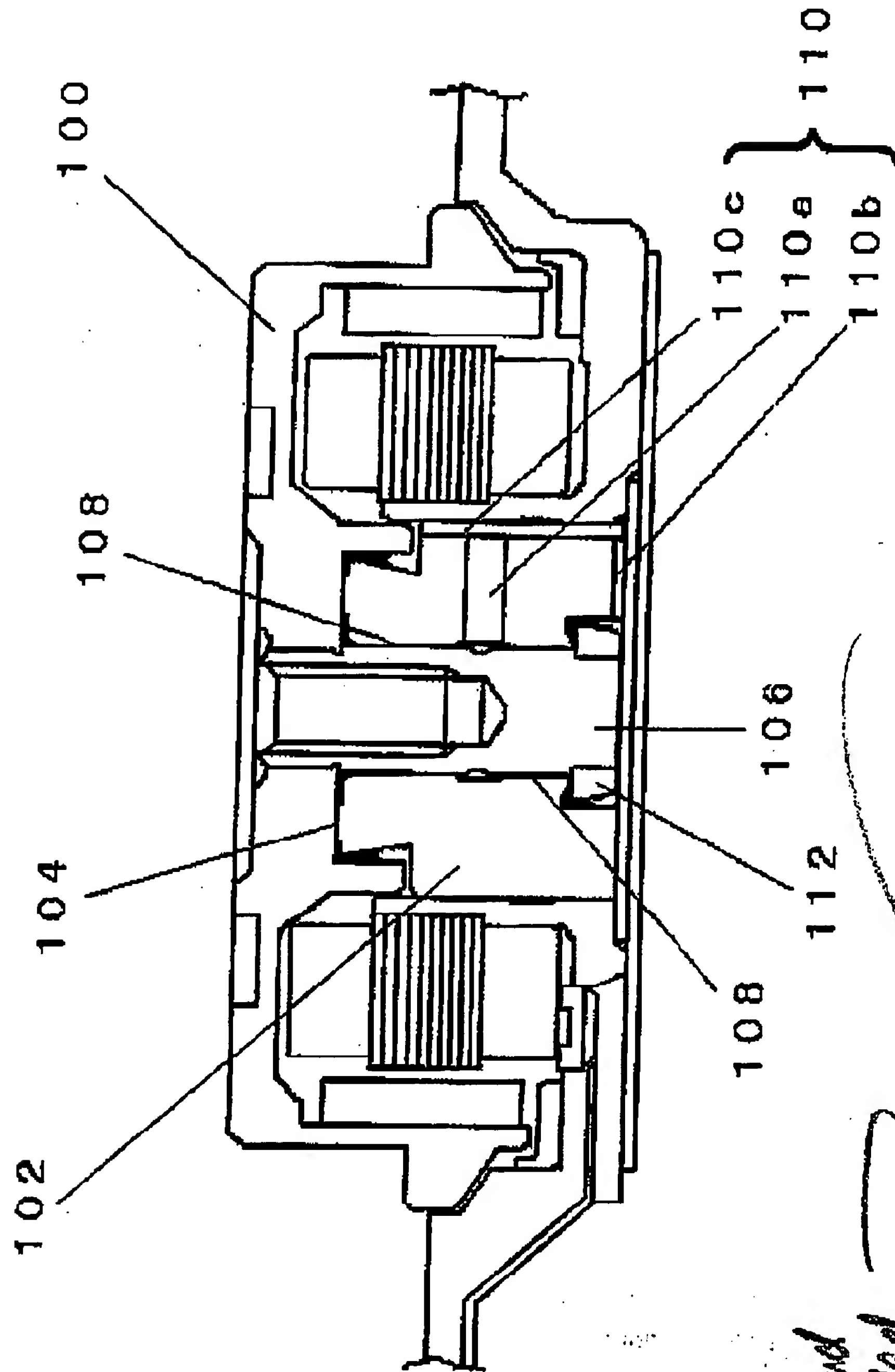
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Amdt. Dated Dec. 8, 2004
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Annotated Sheet Showing Changes

FIG. 1

Prior Art

Legend
added

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